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Atari Online News, Etc.  
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~ Public Domain Law Fight ~ YouTube's Cosmic Panda ~ Players Control Story!

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->From the Editor's Keyboard           "Saying it like it is!"
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I don't know about you, but watching or reading the news these days is just plain sickening. Major stories, local news - it doesn't really matter! The Whitey Bulger case will be a 3-ring circus, guaranteed. Casey Anthony is found not guilty of murdering her daughter, although I have to admit that this crime story is/was a mess. Politicians acting like idiots (take your pick!). Politics in general - idiotic! The problem is that what little "good" and interesting news is buried among the crap, and less focus is a sad result. It's disgusting.

Now, I try to be a realist as much as I can. I know that there are a lot of good things going on in this country, and in the rest of the world. Is it a reality that the bad outweighs the good and "demands" more attention? I just don't know. Do you? Yes, only a short rant this week; it's too depressing to delve into it deeper!

Until next time...

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->In This Week's Gaming Section - PSN Back to Normal This Week?
    " """""""""""""""""""""" Letting Players Control Story!
                                PlayStation 4 in 2012?
                                And more!
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->A-ONE's Game Console Industry News - The Latest Gaming News!

## PlayStation Network To Be Fully Restored This Week

Sony's PlayStation Network will end its 11-week outage when it fully restores service in Japan on Wednesday.

Sony experienced a cyber attack on April 20 that took down the PlayStation Network and Qriocity service, compromised 77 million users' private information and cost the company about \$170 million.

Sony previously announced deadlines for recovery, including an announcement on April 21 that it might be "a full day or two" before PSN was restored. On May 1, Sony Executive Deputy President Kazuo Hirai promised restoration by the end of that week. Two weeks later, on May 14, the company announced the first phase of the network's resumption. And most recently, on May 30, Sony promised full restoration by the end of the week.

For the sake of Sony's integrity, we can only hope that this is the final announcement for complete resumption of its service - it surely has a number of challenges to overcome in regaining users' trust.

The company has also extended its welcome back program until Tuesday, July 5 at 12 p.m. ET. The program enables all users who had signed up prior to the outage to select two free PS3 games and two free PSP games.

#### Is Sony Releasing the PlayStation 4 in 2012?

It looks like the next-generation console wars are heating up. Sony is now rumored to be preparing the PlayStation 4 for a 2012 launch, according to a new report.

Perhaps more interesting, though, is that the PlayStation 4 may boast body movement controls as one of its core features, something that Microsoft pioneered with the Kinect.

Production for the device is rumored begin at the end of 2011, according to Digitimes. The device is being manufactured by Foxconn and Pegatron Technology. Sony intends to ship at least 20 million units, according to the report.

Sony used to be the king of gaming consoles with the PS1 and the PS2. However, Nintendo took the crown from Sony with the Wii and its innovative motion controls. Microsoft struck back with the Kinect last year, one of the fastest-selling devices in history. At the same time, Sony latched onto the motion control craze with the PlayStation Move, a system that combines motion capture with a wand-like controller. More than 8 million Move controllers have been sold since its launch, but it still trails the Kinect by a large margin.

We've heard rumors about a potential 2012 unveiling of the PlayStation 4, but never that Sony intended to make it a 100% motion control device. Digitimes has a mixed record at these types of stories, so we'll have to wait and see if a PS4 is coming to challenge the Wii U.

#### Next Gen Video Games Let Players Control The Story

Menacing alien machines descend on Earth, and amid all-out war, a soldier

searches a building to find a frightened boy hiding in a vent.

"It's OK," says the soldier.

"Everyone's dying," the boy replies.

The soldier must choose: Help the boy or tell him to flee.

Though it's full of dramatic tension and realistic animation, this isn't a scene from the next Hollywood blockbuster. It's actually from upcoming video game "Mass Effect 3."

Game makers are crafting more sophisticated story lines and creating characters that evolve based on their experiences within a game. It's an attempt to interest new customers and reverse a decline in video game sales as the maturing business fights for people's attention in the face of new devices such as the iPad.

A new crop of games calls for players to make choices that go beyond selecting a weapon. Among other things, players are asked to make moral decisions that force their characters - and the game's narrative - to evolve in different ways. Upcoming games such as "Bioshock Infinite" and "Star Wars: The Old Republic" tap into this vein.

These storytelling games couldn't come at a better time. U.S. sales of gaming consoles and video games hit a peak in 2008, at \$21.4 billion, according to market research firm NPD Group. Since then, however, annual sales fell 13 percent to \$18.6 billion in 2010. So far in 2011, sales are flat compared with last year.

With the recent Supreme Court decision protecting violent games as free speech, it's more appropriate than ever for games to have more of a message.

Part of the goal of involved storytelling is to keep players occupied for longer, playing out stories through to the end. Video game makers are trying to stop players from getting bored and quickly offloading games onto used game shops, which can sap sales.

The new games merge first-person shoot-em-ups with movie plotlines to develop what some in the industry are calling a new art form.

In the past, games mostly sandwiched so-called theatrical "cut scenes" between bouts of trigger-finger action. In "Grand Theft Auto IV," for instance, players are given missions on a roughly linear progression as other hoodlums call by cellphone and recruit them to participate in crimes that will elevate the player in rank. Players can follow along or ignore the story lines in favor of other pursuits, such as discovering hidden details like the giant, chained heart inside the Statue of Liberty lookalike.

Gradually, non-action scenes are becoming more central to games and the story is the focus. "Grand Theft" was a start in that direction, with two different endings depending on player choices. The new "Star Wars" game will have about 20 different endings and a billion ways to get there.

"Photographs tell stories. Movies tell stories. Songs tell stories. Games tell stories," said Ken Levine, creative director for Irrational Games.

Levine's studio is poised to release "BioShock Infinite" next year. The

shooting game confronts main character Booker with moral decisions - like saving a man from execution or putting down a horse - all the while roaming around an immersive floating world that resembles early 20th century America.

"My mom's not going to connect to the story of 'Mega Man 2,'" Levine said, referring to the pixelated Capcom game from the late 1980s. "But hopefully she can connect to a story like this."

These storytelling games represent yet another way the video game business is reaching out to people who have not traditionally considered themselves "gamers." Mobile games including "Angry Birds" and addicting social-network games such as "FarmVille" have gotten more women to play. Motion controllers from Microsoft, Sony and Nintendo have turned video gaming into a physical workout that appeals to young and old.

Storytelling games could appeal to those attracted to character development more than killing.

Lindsay Grace, professor of interactive media studies at Miami University, said the video game industry is trying to accomplish what Hollywood has turned into a science: entering new markets by offering a little something for everyone - a little romance, a little action, a little this and that.

"Games have started to understand this in the last four to five years, but they are later to understand that than film," he said. "Before, it was a shooting game, and that's what you do."

Grace, who's been studying video games for seven years, believes the answer is not in more big-budget shoot-em-ups, but in independent video games pushing the boundaries of entertainment.

"From indie games to more mainstream offerings, in the next decade or so we are going to be seeing a greater diversity in subject matter," said Scott Steinberg, the chief executive of video game consulting company TechSavvy Global. "The selection of games will more closely resemble your selection of movies."

Market tracker NPD Group doesn't track or categorize "storytelling" games specifically. But many of the games that have had commercial success dive deep into narrative territory. "Grand Theft Auto IV" has sold 20 million units since its record-breaking April 2008 launch. "L.A. Noire" was the top-selling game in the United States in May, with an estimated 899,000 units, despite an industry downturn.

A-list actors, writers and directors are increasingly participating in the industry, lending their voices, faces and ideas to the medium.

Guillermo Del Toro, the Oscar-nominated director behind such hits as "Pan's Labyrinth" and "Hellboy," recently cut off work on the unfinished "The Hobbit" movies in part to free himself to work on video games. One of his first new projects is with game maker THQ on a future release called "Insane." Guillermo envisions the making of the game to take up eight to nine years of his creative life.

"We are in the infancy of people recognizing video games as art," Del Toro said in a recent interview.

He believes game releases will become major cultural events someday, much like big-budget movies. "In order to be a storyteller in the 21st century,

Aaron Staton, an actor from the Emmy-winning television series "Mad Men," said he signed on to play detective Cole Phelps in the epic crime game "L.A. Noire," to be part of the cutting-edge method of storytelling that the game explores.

Many recent games have featured actors' voices, but in "L.A. Noire," their facial expressions and voices become "an important aspect of the story of the game and the game play itself," Staton said. "So I thought that it would be exciting."

A love triangle is expected to develop in "Mass Effect 3," but only if characters created romances in the earlier two versions.

Daniel Erickson, the lead writer of the "Star Wars" game, said the amount of storytelling content was unprecedented. The studio behind it, BioWare, created more than 10,000 characters to talk to and used voices from more than 1,000 actors.

"BioWare is a lot closer in structure to an ongoing TV series studio when it comes to the writing department than it is to a classic game design studio," Erickson said. "It is story that drives everything."

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->A-ONE Gaming Online      -      Online Users Growl & Purr!
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Atari Interactive has filed a \$30 million lawsuit in a California district

court against the owner and operator of distributor Tommo Inc., saying that the latter knowingly sold illegal knockoffs of its Flashback 2 console.

According to the complaint, which was acquired by Gamasutra, video game merchandise distributor Tommo has sold "wholesale quantities of unauthorized and pirated copies of Atari software and Atari Flashback 2 consoles."

The Flashback 2, which was introduced in 2005, is a "plug-and-play" console roughly shaped like Atari's original 2600 console. It had forty games built in: mainly these were original Atari-published releases for the system, though a handful of new games and previously-unreleased prototypes were included. The product was discontinued in 2006, having sold over 860,000 units.

Bootleg Flashback 2s have been sold by a variety of retailers, including Amazon, Woot.com, and stores owned by Kroger, including Fred Meyer, Smiths, and Ralphs grocery stores.

According to reports by those who have purchased the units, the bootlegs are nearly identical to the original units, down to the packaging design. Reports suggest that the software itself has noticeable glitches not present in the original units. The only notable cosmetic differences include a slightly different font printed on the internal circuit board and a minor color variation on a sticker on the unit's face.

According to commentary by Flashback creator Legacy Engineering, it is likely that the illegal manufacturer of the knock-off units was able to obtain the original's source files and plastic molds.

Atari is seeking damages to be determined by Tommo's sales figures, and may push for damages of up to \$150,000 for each of its infringed copyrights, of which it is claiming over 80 were violated.

Tommo is a distributor of video game merchandise that was formed in 1989. Its past clients include Natsume, Konami and Capcom, though the majority of its games distributed of late come from budget publisher UFO Interactive.

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A-ONE's Headline News  
The Latest in Computer Technology News  
Compiled by: Dana P. Jacobson

#### Government Facilities Targets of Cyber Attacks

Two U.S. government-funded research laboratories and a defense contractor were targets of a "highly sophisticated" cyber attack last week, representatives of the organizations said, the latest in a string of assaults on U.S. interests.

The attacks struck Pacific Northwest National Laboratory (PNNL) in Richland, Washington; Thomas Jefferson National Laboratory in Newport News,

Virginia and Battelle Corp, a government contractor that manages PNNL.

The three shut down Internet access on Friday, when they became aware of the attacks, they said. The two laboratories have yet to restore access to their external websites.

"The good news is no classified information has been compromised or is in danger from this attack," said PNNL spokesman Greg Koller. "At this time, we have not found any indication of 'exfiltration' of information from our unclassified networks as well."

The attack follows cyber assaults that shut down network access at Lockheed Martin Corp, the Pentagon's No. 1 supplier by sales, and the Oak Ridge National Laboratory, which is managed by UT-Battelle for the U.S. Energy Department.

In Washington, retired Air Force General Michael Hayden, a former director of central intelligence and ex-head of the Pentagon's National Security Agency, said on Wednesday that growing cyber threats were pushing security planners into uncharted territory.

"This is really hard for us to think about," he told a forum on cyber deterrence hosted by the Potomac Institute for Policy Studies, a nonpartisan research group focused on science and technology. "If we don't act boldly, something really bad is going to happen. Then we'll over-react."

James Mulvenon, a specialist on the Chinese military and Chinese cyber issues at Defense Group Inc, a consultant to the U.S. intelligence community, told the same forum that the United States must operate on the assumption that its networked systems already have been penetrated by foes.

U.S. strategy, he said, should be to enhance "resilience" so that the United States can recover relatively quickly from possible cyber-enabled attack.

Recently, a group of private experts briefed a U.S. intelligence audience about how they could go 90 percent of the way toward bringing down a major U.S. city's vital systems without anyone being able to tell, Michael Tiffany, a cyber security expert, told the session.

"Force multiplication is cheap," said Tiffany, chief architect at Recursion Ventures, a security technologies company. "And there are no indicators of force buildup" when malicious code is carefully inserted into a system.

### Spammers Shifting to Targeted Attacks

Cisco's Security Intelligence Operations group has published a new report, [Email Attacks: This Time It's Personal \(PDF\)](#) that indicates the Internet is experiencing a fundamental shift in the nature of spam: instead of spammers relying on sending as many messages as possible and hoping to get responses from a tiny fraction of one percent of gullible recipients, spammers are shifting to a far smaller number of targeted, personalized attacks - a.k.a. spearphishing. The good news is that the overall volume of mass spam has declined sharply, along with the amount of money criminals gain from them. The bad news is that targeted attacks are up sharply - and criminals make a lot more money every time one of them succeeds.



"Cybercriminal business models have recently shifted towards low-volume targeted attacks," Cisco wrote. "With email remaining the primary attack vector, these attacks are increasing in both their frequency and their financial impact on targeted organizations."

According to Cisco, spam volumes peaked at an average of about 300 billion spams per day in June 2010 down to about 40 billion spams a day in June 2011. With that decline, spammers have also found the amount of money they haul in from mass email spam is going down: Cisco estimates mass spam attacks netted spammers about \$1.1 billion in June 2010, but that figure dropped to \$500 million by June 2011.

One reason that spammers' revenues haven't declined in proportion to the amount of messages they send out is that an increasing number of messages are individualized with personalization tools and other information designed to pull in a potential victim and 'convert' them into a paying victim, or get them to click through to a site that will try to install malware. Cisco estimates that spammer revenue from these customized attacks grew from \$50 million in June 2010 to \$200 million by June 2011.

Cisco also notes that while spam filters and blocking technologies are able to block about as many targeted attacks as mass attacks, targeted attacks are far more likely to be opened by their intended victims, and have click-through rates as high as 50 percent.

Cisco also credits the decline in mass attack spam to the work of industry organizations, security firms, and law enforcement, noting that in the last year botnets like SpamIt, Rustock, Bredolab, and Mega-D have been severely curtailed by law enforcement actions.

#### Italian Police Raid Notorious Hackers Group

Italian police Tuesday detained 15 suspected members of an international hackers cabal called "Anonymous" blamed for several major online attacks, an Italian newspaper reported.

The suspected hackers, including five minors, were picked up by police, questioned and later released, while authorities also seized dozens of computers, the Italian daily La Repubblica said.

Anonymous, which is believed to have branches in several countries, gained prominence after it launched retaliatory attacks on companies perceived to be enemies of whistle-blowing website Wikileaks.

The group was linked to attacks on Visa, Mastercard and Paypal, who blocked donations to Wikileaks after it published thousands of US diplomatic cables.

The Italian branch of the gang is suspected of online sabotage against the country's parliament, senate and large companies like the state oil major ENI, according to La Repubblica.

Police grabbed suspected hackers in several regions of Italy and also in Switzerland, where a 26-year-old accused of approving attack targets was questioned by police, the paper said.

Last month, Turkish police arrested 32 suspected Anonymous members, and the group has also been targetted by investigators in Britain, Spain and the US.

#### U.S. Internet Providers To Act Against Online Pirates

Consumers who illegally download copyrighted films, music or television shows might see their Internet speed slowed or access restricted under an industry anti-piracy effort announced on Thursday.

U.S. Internet service providers, including Verizon Communications Inc, Comcast Corp, Time Warner Cable Inc, Cablevision Systems Corp and AT&T Inc agreed to alert customers, up to six times, when it appears their account is used for illegal downloading. Warnings will come as e-mails or pop-up messages.

If suspected illegal activity persists, the provider might temporarily slow Internet speed or redirect the browser to a specific Web page until the customer contacts the company. The user can seek an independent review of whether they acted legally.

Internet access will not be terminated, according to a statement from the industry partners behind the effort. The coalition includes groups representing movie studios, independent film makers and record labels.

The group argues that content piracy costs the U.S. economy more than 373,000 jobs, \$16 billion in lost earnings and \$3 billion in tax revenue each year.

Industry officials said they thought most people would stop copyright violations once they were warned about illegal activity. The warnings also might alert parents unaware of their children's activity.

"We are confident that, once informed that content theft is taking place on their accounts, the great majority of broadband subscribers will take steps to stop it," James Assey, executive vice president of the National Cable & Telecommunications Association, said in a statement.

Two consumer groups said the effort had the "potential to be an important educational vehicle" to help reduce online copyright infringement, but voiced concern about the sanctions.

"We are particularly disappointed that the agreement lists Internet account suspension among the possible remedies," the Center for Democracy & Technology and Public Knowledge said in a statement.

The groups said it would be "wrong for any (Internet service provider) to cut off subscribers, even temporarily, based on allegations that have not been tested in court."

The Obama administration welcomed the industry effort.

"We believe it will have a significant impact on reducing online piracy," Victoria Espinel, the U.S. intellectual property enforcement coordinator, wrote on the White House blog.

The administration expects the organization that implements the program

to consult with advocacy groups "to assure that its practices are fully consistent with the democratic values that have helped the Internet to flourish," she added.

### South Korean Web Attacks Might Have Been War Drill

Attacks that crippled South Korean government websites in July 2009 and again in March 2011 might have been cyber war drills conducted on behalf of North Korea, according to security software maker McAfee Inc.

That would make the South Korean attacks more menacing than recent attacks by hacker activists, or "hactivists," such as the groups Anonymous and Lulz Security. Those groups have temporarily shut down high-profile websites, including those of MasterCard, the CIA and NATO.

Hactivists attack as a form of electronic protest, but the attacks on South Korea were likely Internet reconnaissance missions to test the impact that cyber weapons could have in wartime, said Dmitri Alperovitch, vice president of threat research for McAfee Labs.

"This stuff is much more insidious and much more dangerous to national security than what Anonymous is doing," he said.

McAfee made the claim in a technical analysis of malicious software hackers used to launch the March 2011 denial of service attacks against South Korean websites. Denial-of-service attacks shut down websites by overwhelming them with traffic.

The document, which was released on Tuesday, said the attackers likely built the army of computers that launched the attacks by infecting healthy PCs with malicious software at a popular South Korean file-sharing site.

Once the PCs were infected, they became part of a "botnet," or army of enslaved computers, the hackers managed remotely from "command and control centers."

That botnet was used on March 4 to attack some 40 websites in South Korea, according to McAfee.

"It was a very rapid operation - very constrained with specific goals," Alperovitch said. "The intent was to see what level of damage you can do in a very rapid time period."

The hackers responsible for the attacks tried to make it difficult for researchers to figure out what they were doing.

They encrypted their software, or scrambled it to make it difficult to study, and also programed it to destroy itself and its host PC 10 days after the March 4 attack began.

It is highly rare for botnet herders to instruct infected computer systems to attack themselves. They typically try to keep enslaved computers running as long as possible so they can use their botnet to perform many tasks.

The hackers likely worked so hard to hide their tracks because they wanted to make it difficult for authorities to ascertain the real purpose of the

attacks, Alperovitch said.

They were cyber war drills designed to determine how difficult it would be to take down key government websites in the event of war, he added.

McAfee is a subsidiary of chipmaker Intel Corp.

#### EU Upset by Microsoft Warning About US Access to EU Cloud

Members of the European Parliament have demanded to know what lawmakers intend to do about the conflict between the European Union's Data Protection Directive and the U.S. Patriot Act.

The issue has been raised following Microsoft's admission last week that it may have to hand over European customers' data on a new cloud service to U.S. authorities. The company may also be compelled by the Patriot Act to keep details of any such data transfer secret. This is directly contrary to the European directive, which states that organizations must inform users when they disclose personal information.

"Does the Commission consider that the U.S. Patriot Act thus effectively overrules the E.U. Directive on Data Protection? What will the Commission do to remedy this situation, and ensure that E.U. data protection rules can be effectively enforced and that third country legislation does not take precedence over E.U. legislation?" asked Sophia In't Veld, a member of the Parliament's civil liberties committee.

Commissioner Viviane Reding, who is responsible for data protection, has in the past seemed to welcome a privacy protection bill introduced by senators John Kerry, a Massachusetts Democrat, and John McCain, an Arizona Republican, as a possible solution. "I welcome a draft Bill of Rights just introduced in the U.S. Congress as a bipartisan initiative of Democrats and Republicans. The Commission also shares the main objective of the Bill: strengthening individuals' trust in new technologies through compatible standards," she said.

Microsoft can already transfer E.U. data to the U.S. under the Safe Harbor agreement. But legal experts have warned that this agreement is hardly worth the paper it's written on. There are seven principles of Safe Harbor, including reasonable data security, and clearly defined and effective enforcement. However all this is nullified if the Patriot Act is invoked.

"I'm afraid that Safe Harbor has very little value anymore, since it came out that it might be possible that U.S. companies that offer to keep data in a European cloud are still obliged to allow the U.S. government access to these data on basis of the Patriot Act," said Theo Bosboom, IT lawyer with Dirkzager Lawyers. "Europeans would be better to keep their data in Europe. If a European contract partner for a European cloud solution, offers the guarantee that data stays within the European Union, that is without a doubt the best choice, legally."

The advice will come as a blow to the many cloud computing players registered in the U.S. including Microsoft, Facebook and Google. Microsoft's new cloud service, which is due to be launched next week, will allocate geographic regions where customers' data will be physically stored. But the computer giant could not guarantee that E.U.

users' information would not be disclosed: "In a limited number of circumstances, Microsoft may need to disclose data without your prior consent, including as needed to satisfy legal requirements, or to protect the rights or property of Microsoft."

"I hope Commissioner Reding will respond soon, as this is really a key issue. Essentially what is at stake is whether Europe can enforce its own laws in its own territory, or if the laws of a third country prevail," said In't Veld. "I hope the Commissioner will ensure that the U.S. and other countries respect E.U. laws in E.U. territory. I don't think the U.S. would be amused if Europeans (or other non-U.S. authorities) were to get access to databases located within U.S. jurisdiction."

#### TSA Agent Stole \$50,000 Worth of Electronics from Passengers

Flying can be a stressful time for anyone, and between packing, long lines, and security screenings, the last thing you want to worry about is having your stuff stolen.

Unfortunately, that's just what happened to an untold number of travelers departing from Fort Lauderdale - Hollywood International Airport's terminal 1 over the past 6 months. A TSA agent named Nelson Santiago is the culprit, and was caught red-handed in an attempt to swipe an iPad from an innocent traveler's luggage.

After being spotted in the act by a Continental Airlines employee - and subsequently arrested and interrogated - Santiago admitted that it wasn't the first time he had taken items from the bags he was supposed to be screening. In fact, he had been doing it for the past 6 months, usually selling the items online and pocketing the profits. Authorities estimate his total haul at over \$50,000.

Based on Santiago's information, detectives are attempting to make contact with travelers who became unwitting victims, but the process is slow and tedious. Tracking down the items the TSA officer stole is even more difficult, as the transactions made online leave very little in the way of a paper trail. Santiago has since been released on bond and is awaiting trial. He has also been fired from the TSA.

#### Windows 8? New Xbox? Ballmer To Deliver CES Keynote

Tradition lives. Microsoft's Steve Ballmer will, once again, deliver the pre-show keynote address at the 2012 Consumer Electronics Show in Las Vegas.

Next year's CES is scheduled for January 10-13, but Ballmer will kick things off at 6:30pm on January 9 from The Venetian.

"From mobile to desktop to gaming and beyond, Microsoft has a significant impact on all aspects of the consumer technology industry, and Steve Ballmer's keynote is a great way to kick off the exciting 2012 International CES," Consumer Electronics Association CEO Gary Shapiro said in a statement.

This will be Ballmer's third CES keynote appearance; he took over in 2009 after Bill Gates retired in 2008 to focus on philanthropic efforts. In recent years, however, the Microsoft CES keynotes have not included anything particularly spectacular or unexpected.

The 2009 keynote, for example, included the release of the Windows 7 public beta, two additions to its /Halo/ gaming lineup, and the worldwide availability of Windows Live Essentials.

The following year, on the heels of Windows 7's October release, Ballmer showed off an HP tablet and said that "Project Natal," later renamed Kinect, would be released in time for the 2010 holiday season. The software giant also contended with a brief power outage.

Earlier this year, Ballmer's keynote included stats on Kinect (8 million sold, gesture- and voice-based access to Netflix and Hulu Plus via Kinect, and plans for Windows Phone 7's first software update.

What will this year's keynote include? Nokia has promised to unveil Windows Phone 7-based devices by year's end, so expect to see those on display at CES. There will also likely be more details on Windows 8, and maybe an updated Xbox? A lot can happen in six months, so stay tuned.

#### EFF Urges Supreme Court to Block Law That Erodes Public Domain Law Hurts Libraries, Artists, and First Amendment Rights

The Electronic Frontier Foundation (EFF) asked the U.S. Supreme Court to block a federal law that erodes the public domain and hurts libraries, artists, and others who want to exercise their First Amendment right to share and receive information in an amicus brief filed today on behalf a coalition of libraries and other digital repositories.

The law in question is Section 514 of the Uruguay Round Agreements Act, which takes potentially millions of works by foreign authors that were previously in the public domain and puts them back under copyright protection. Works affected by this law include Sergei Prokofiev's *Peter and the Wolf*, music by Stravinski, paintings by Picasso and drawings by M.C. Escher, and writings by George Orwell and J.R.R. Tolkien - material that has been used and performed countless times. Now that the works are back under copyright protection, use of the works may require paying hefty license fees.

In the amicus brief, EFF argues that this law creates dangerous uncertainty about copyright policy, posing a significant threat to libraries, digital repositories, and others that promote access to knowledge.

"Libraries and digital repositories are using new technologies to make our cultural commons more accessible than ever, but they need a robust and stable public domain to be able to do that crucial work," said EFF Staff Attorney Julie Samuels. "Section 514 has up-ended a basic tenet of copyright law: once a work enters the public domain, it stays in the public domain."

"The public domain helps make sure the copyright monopoly serves its purpose: to promote the progress of science and the useful arts," said EFF Intellectual Property Director Corynne McSherry. "Congress should not have put a small potential benefit to some authors ahead of the public

interest."

EFF represents the Internet Archive and the University of Michigan Dean of Libraries. Joining the brief are the Wikimedia Foundation, the American Library Association, the Association of College and Research Libraries, and the Association of Research Libraries.

### Internet Access A Fundamental Human Right

Access to the Internet should be seen as a fundamental human right and respected as much as freedom of expression, the transatlantic security body OSCE said in a report Friday.

"Everyone should have a right to participate in the information society and states have a responsibility to ensure citizens' access to the Internet is guaranteed," the report, presented in Vienna, said.

The analysis was the first ever of state regulations on Internet access within the 56-member OSCE.

"Some governments already recognise access to the Internet as a human right. This trend should be supported as a crucial element of media freedom in the 21st century," the OSCE's media representative Dunja Mijatovic told journalists upon presentation of the report.

Finland and Estonia have already done so, the OSCE praised.

And since last year, Finnish citizens have a legal right to Internet access, the first country to lay down such a rule, while Norway had also taken steps in that direction, it noted.

However, seven other states admitted they had regulations allowing them to limit access to the Internet in cases of state emergencies, to defend national security and to protect public health.

At least 10 states also failed to submit any data to the OSCE for its report.

"Legislation in many countries does not recognise that freedom of expression and freedom of the media equally apply to Internet as a modern means of exercising these rights," Mijatovic noted.

As a result, the organisation offered guidelines to ensure that citizens' access to the Web was guaranteed, such as clearly wording laws, refraining from blocking content and generally respecting freedom of expression and of the media.

"We will use the study as an advocacy tool to promote speech-friendly Internet regulation in the OSCE participating States," Mijatovic said.

### YouTube Invites Users To Try 'Cosmic Panda'

On July 7 video sharing site YouTube announced the launch of an experimental version of the site called Cosmic Panda; users are

encouraged to test the site and leave their feedback.

Cosmic Panda is part of YouTube's Test Tube experiments and is separate from YouTube, which retains its current format.

Test Tube is a side project conducted by YouTube in order to get user feedback on their latest project developments; users of the site can try a number of editing and search tools not currently widely available.

As part of this project, Cosmic Panda provides users with additional editing tools for altering their YouTube channel, and it gives Google Chrome users the ability to watch one video while moving between other videos, playlists and even channels.

In a July 7 blog post YouTube outlined the principles of Cosmic Panda and encouraged users to express their thoughts on the service. Users can leave feedback by accessing the channel and clicking the blue label on the left-hand side of the screen marked "Feedback."

Other popular video sharing channels include Vimeo, Daily Motion and the popular Chinese site Tudou, which includes a variety of clips from English language shows alongside Chinese videos.

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